

THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

MACK WELLS and MAURICE SYMONETTE

PLAINTIFF

CASE# 25-11153 -G

v.

U.S. BANK NA., JUDGE LINDSAY S. GRIFFIN  
DISTRICT JUDGE OF THE UNITED STATES DISTRICT  
COURT FOR THE MIDDLE DISTRICT OF FLORIDA,  
DEFENDANTS

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NOTICE OF APPEAL

COMES NOW Maurice Symonette and Mack Wells with notice of appeal on Case# 24-cv-02037-MSS-LSG against Judges Order Dismissing Plaintiffs Case without Prejudice in violation of Fl. Stat. 78. Federal Rule 12 (a)(1)(A) and Rule 1002 and 1001. See order exh. A. there was no way that this Case should have

been dismissed because U.S. Bank never showed proof of ownership of the Note on the property on a Replevin Case!

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to

Mack Wells

Mack Wells  
15020 S. River Dr.  
Miami Fl. 33167

Maurice Symonette

Maurice Symonette  
15020 S. River Dr.  
Miami Fl. 33167

THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

MACK WELLS and MAURICE  
SYMONETTE

Appellants,

v.

Case No.: 25-11153 -6

U.S. BANK NA., JUDGE VALERIE  
MANNO SCHURR, JUDGE JOHN  
SCHLESINGER, JUDGE VIVIANNE

DEFENDANTS

Appellees,

/

**CERTIFICATE OF INTERESTED PERSONS**

I MACK WELLS hereby disclose the following pursuant to this Court's Order on  
Interested Persons:

1. The name of each person, attorney, association of persons, firm, law firm, partnership, and corporation that has or may have an interest in a party to this action or in the outcome of this action, including subsidiaries, conglomerates, affiliates, related to a party:

**listed below. M e m b e r s   o f   The Appellant's Party are also listed below.**  
according to 11<sup>th</sup> circuit Rule 26.1-1(b).

**DISCLOSURE OF JUDGES GENERAL PROVISIONS AND DISCOVERY**

**PURSUANT TO RULE 26(a)(1)(A)1-5:**

Judge VALERIE MANNO SCHURR 73 W. Flagler st. Ste.1111 Miami, FL 33130. Changed Judge ZABEL'S Order of Dismissal with Prejudice Filed on April 6<sup>th</sup> 2010 to Dismissal Without Prejudice 3 months later in June 27<sup>th</sup>, 2010 on the Docket Case# 2007-12407-CA0.

She also has a Conflict of Interest shown on the Docket on Case#2021-10826-CA01 in our Motion to Recuse filed 01/24/2022 showing that she made \$995,000 with U.S. Bank. Represented by Christopher Michael Sutter located at Florida office of the Attorney General 110 SE 6<sup>th</sup> st. 10<sup>th</sup> Floor Ft. Lauderdale Fl. 33301.

**No stock ticker, Nothing to be Affirmed.**

Judge JOHN SCHLESINGER Bar Number: 788716 Mail Address: 2700 Granada Blvd Coral Gables, FL 33134-5552 Office: [203-399-0029](tel:203-399-0029) Email: [jcs2564@icloud.com](mailto:jcs2564@icloud.com) filed a Final Judgement Order in Favor of U.S. Bank to Foreclose on us 12/19/2017 on Docket Case# 2021-61928-CA01 knowing that U.S. Bank has an Assignment that has the wrong Bank (Homecomings when it should be Axiom) on it and that they don't have the proper Allonge, Original Mortgage, Original of the Note, Allonge to the Note, and the second Allonge from Fannie Mae or indemnification info that indemnifies Fannie Mae. He has a Conflict of Interest Totaling \$28,834,751.25 shown on our Motion to Recuse filed Feb.13 2020 on the same Docket.

**No stock ticker, Nothing to be Affirmed.**

Judge VIVIANNE DEL RIO 73 West Flagler St., Miami, FL 33130 **Phone:** (305) 349-7078, **Room:** DCC 525 Filed an Order Granting U.S. Banks Motion to Reset Foreclosure Sale on our Property on 02/22/2023 23 on the Docket on Case#2010-61928-CA01 knowing that they don't have the proper Assignment, Allonge, Original Mortgage, Original of the Note, Allonge to the Note, and the second Allonge from Fannie Mae or indemnification info that indemnifies

Fannie Mae. And has a Conflict of Interest with U.S. Bank in the amount of \$943,141.00 shown on our Motion to Recuse filed 02/21/23 on the same Docket. Represented by Christopher Michael Sutter located at Florida office of the Attorney General 110 SE 6<sup>th</sup> st. 10<sup>th</sup> Floor Ft. Lauderdale Fl. 33301. **No stock ticker, Nothing to be Affirmed.**

Judge CARLOS LOPEZ 1351 N.W. 12th St., Miami, FL 33125 **Room:** REG 212 **Phone:** (305) 548-5761 **Email:** [F012@jud11.flcourts.org](mailto:F012@jud11.flcourts.org) he filed an Order denying our Motion to Stop the Foreclosure Sale on 10/11/2023 knowing that they don't have the proper Assignment, Allonge, Original Mortgage, Original of the Note, Allonge to the Note, and the second Allonge from Fannie Mae or indemnification info that indemnifies Fannie Mae. He also has a Conflict of Interest in the amount of \$2,077,949 with U.S. Bank shown on our Motion to Recuse filed 06/28/2023 on the Docket for Case#2010-61928-CA01. Represented by Christopher Michael Sutter located at Florida office of the Attorney General 110 SE 6<sup>th</sup> st. 10<sup>th</sup> Floor Ft. Lauderdale Fl. 33301. **No stock ticker, Nothing to be Affirmed.**

Judge VERONICA DIAZ 175 N.W. 1st Ave., Miami, FL 33128 **Room:** CHC 2214 **Phone:** (305) 349-5723 Put in an Order Resetting Foreclosure Sale on Docket for Case# 2010-61928-CA01 on 02/06/2020 with no Consideration to the fact that U.S. Bank had no valid documents the proper Assignment, Allonge, Original Mortgage, Original of the Note, Allonge to the Note, and the second Allonge from Fannie Mae or indemnification info that indemnifies Fannie Mae. She also made almost half a million dollars with U.S. Bank shown on our motion to Recuse on the same Docket.

**No stock ticker, Nothing to be Affirmed.**

Judge SAMANTHA RUIZ COHEN 175 N.W. 1st Ave., Miami, FL 33128 **Room:** CHC 2815 **Phone:** (305) 349-5744 **Email:** [11thFC28@jud11.flcourts.org](mailto:11thFC28@jud11.flcourts.org) made over \$2million with U.S. Bank according to her form 6. Shown in our Motion to Recuse Filed on the Docket For Case# 2010-61928-CA01 on 05/04/2022. Represented by Christopher Michael Sutter located at Florida office of the Attorney General 110 SE 6<sup>th</sup> st. 10<sup>th</sup> Floor Ft. Lauderdale Fl. 33301.

**No stock ticker, Nothing to be Affirmed.**

Judge MIGUEL DE LA O 1351 N.W. 12th St., Miami, FL 33125 Room: REG 424  
Phone: (305) 548-5771 Denied our Motion to Stop Sale on the Docket for case#2010-61928-CA01 on 01/17/2018 without Acknowledgment that U.S. Bank Never brought in the Necessary Valid Documents Assignment, Allonge, Original Mortgage, Original of the Note, Allonge to the Note, and the second Allonge from Fannie Mae or indemnification info that indemnifies Fannie Mae. He also has a Conflict of Interest with U.S. Bank in the amount of \$300,000 shown on our Motion to Recuse filed on the Docket for Case#2010-61928-CA01 on 08/11/2020. Represented by Christopher Michael Sutter located at Florida office of the Attorney General 110 SE 6<sup>th</sup> st. 10<sup>th</sup> Floor Ft. Lauderdale Fl. 33301.

**No stock ticker, Nothing to be Affirmed.**

Federal Judge JOSE MARTINEZ Wilkie D. Ferguson, Jr. United States Courthouse 400 North Miami Avenue Room 10-1 Miami, Florida 33128 Chambers (305) 523-5590 Committed Fraud by allowing his Signature to be Forged as shown in our Emergency to Void Sale in Violation for Sanctions against U.S. Bank for Violating Federal Stay and willfull contempt in Violation of 28 U.S. Code SS 1446 (d) and to Void Sale because of Forgery and Fraud on the Docket for Case#23-cv-22640-JEM on 05/28/2024 he also has a Conflict of Interest with U.S. Bank in the amount of \$250,000 shown in our Motion to Recuse on the same Docket on 07/15/2024. **No stock ticker, Nothing to be Affirmed.**

Federal Magistrate Judge EDUARDO SANCHEZ C. Clyde Atkins U.S. Courthouse 301 North Miami Avenue 6th floor Miami, Florida 33128 Chambers (305) 523-5890 has a Conflict of Interest with U.S. Bank totaling \$330,000 shown on our Motion For Recusal on the Docket for case#23-cv-22640-JEM on 06/11/2024. **No stock ticker, Nothing to be Affirmed.**

FEDERAL JUDGE DARRIN P. GAYLES Wilkie D. Ferguson, Jr. United States Courthouse 400 North Miami Avenue Room 11-1 Miami, Florida 33128 He has a Conflict of

Interest with U.S. Bank in the amount of \$250,000 shown in our Motion for Change of Venue from Dade County to Tampa Florida on the Docket for Case#24-cv-23015-SC Exh.75 P. pg.5

**No stock ticker, Nothing to be Affirmed.**

Administrative Judge JENNIFER BAILEY 73 west Flagler Street. Phone# 305-349-7008, rm:900. Has a Conflict of Interest With U.S. Bank in the amount of \$222,000 shown in our Complaint on the Docket for Case#23-cv-22640-JEM.

**No stock ticker, Nothing to be Affirmed.**

Clerk of Courts JUAN FERNANDEZ BARQUIN pursuant to Rule 26(a)(1)(A) 1-5 located at W Flagler st RM.133 Miami Fl. 33130 phone:786-292-4845 has a Conflict of Interest with U.S. Bank in the amount of \$635,000 shown in our Motion for Change of Venue from Dade County to Tampa Florida on the Docket for Case#24-cv-23015-SC on 09/09/2024. Represented by Jose Angel Casale Holland & knight 701 Brickell Avenue Suite 3300 Miami, Fl. 33131. Phone# 305-789-7713, Email:jose.casal@hklaw.com

GMAC which is U.S. BANK N.A.USB (US BANCORP) U.S. Bancorp Center 800 Nicollet Mall Minneapolis, MN 55402 Phone: 651-466-3000. Never brought in the proper documentation that Judge Zabel Ordered them to bring in back in 2007 as shown on the Docket for case#2007-12407-CA01 on 04/07/2009 They also failed to disclose PMI information. Represented by Michael Roy Eposito Blank Rome LLP 100 S. Ashley Drive Ste 600 Tampa, Fl 33602, Phone# 813-433-5352 Email: Michael.Esposito@blankrome.com. Eve Alexis Cann Baker Donelson 200 East Blvd. Suite 2000 Ft.Lauderdale, Fl 33301, Phone# 954-786-1612, Email:ecann@bakerdonelson.com. Spencer Devin Leach Baker Donelson, Bearman, Caldwell and Berkowitz, PC 100 S.E. Third Avenue Suite 1620 Ft. Lauderdale, Fl 33394, phone#954-786-1615, Email: sleach@bakerdonelson.com.

JOSE ANGEL CASAL Holland & Knight LLP 701 Brickell Ave Ste 3300 Miami, FL 33131-2847

Office: [305-374-8500](tel:305-374-8500) Cell: [305-710-8371](tel:305-710-8371) – No Text Messages Fax: 305-789-7799. Email: [jose.casal@hklaw.com](mailto:jose.casal@hklaw.com)

Mers (Mortgage Electronic Registration System) Whose last known address is 1818 Library St. Suite 300, Reston, Virginia 20190; Phone: 1-800-646-6377. website: <http://www.mersinc.org>. is doing business in the County of Dade, the State of Florida Appellants are Further informed and believe and there on allege, that Appellee Mers is the Purported Beneficiary under the Deed of Trust and/or is a Purported participant in the imperfect Securitization of the Note and /or the Deed of Trust.

**No Stock ticker, Nothing to be Affirmed.**

Commissioner Rene Garcia Downtown Office Stephen P. Clark Center 111 NW 1st Street, Suite 320. Miami, Florida 33128 [district13@miamidade.gov](mailto:district13@miamidade.gov) 305-375-4831. After the Judges fail to steal our homes for the Banks, Banks have paid some Commissioners like Commissioner Rene Garcia who Sponsored Racist Legislation called Building and Unsafe Structure Legislation #220166 Discriminately to help the Banksters Steal Black People's home like me! Commissioner Garcia has a Conflict of Interest with U.S. Bank in the amount of \$23,000.00

**No Stock ticker, Nothing to be Affirmed.**

Appellate Judges Brownwyn C. Miller Third District **Court of Appeal**, 2001 SW 117th Ave Miami, FL 33175-1716, Office: 305-229-3200 [millerb@flcourts.org](mailto:millerb@flcourts.org). says that on her 2012 form 6 full and Public Disclosure of Financial Interest she has a \$95,000.00 Conflict of Interest with U.S. Bank.

**No Stock ticker, Nothing to be Affirmed.**

Appellate Judge Kevin Michael Emas, Third District Court of Appeals 2001 SW 117<sup>th</sup> Ave. Miami Fl. 33175 Office:[305-229-3200](tel:305-229-3200) Cell:[305-962-6548](tel:305-962-6548), [kevinemas@gmail.com](mailto:kevinemas@gmail.com) on his 2012 form 6 full and Public Disclosure of Financial Interest he made \$225,310.00 Conflict of Interest with U.S. Bank.

**No Stock ticker, Nothing to be Affirmed.**

Appellate Judge Edwin Scales, Third District Court of Appeals 2001 SW 117<sup>th</sup> Ave.  
Miami Fl. 33175 Office: **305-229-3200**. Cell: 305-229-3200. who according to his 2012 Form 6  
Full and public Disclosure of Financial Interest he has a \$22,543.00 Conflict of Interest with U.S.  
Bank.

**No Stock ticker, Nothing to be Affirmed.**

Harvey Ruvin 73 W Flagler Street Miami, Fl. 33130 Head of Miami Dade Clerk of  
Courts, phone# **305-275-1155** has a Conflict of Interest with U.S. BANK in the amount of  
\$315,000.000

**No Stock ticker, Nothing to be Affirmed.**

**Axiom Financial Services LLC (AX) located at 80 Route 4 E, Suite 203, Paramus, NJ 07652 phone# (973) 771-9100 the Originator of the Loan Filing #1423866698 E-filed - 1/21/2022 09:30:09 AM.**

**Residential Funding Co. LLC 7501 Wisconsin Avenue East Tower Suite 900, Bethesda, MD 20814. Phone#301-215-5200**

**No Stock ticker, Nothing to be Affirmed.**

**RELIEF SOUGHT**

This case be dismissed with Prejudice based on lack of jurisdiction.

The following judgements are being claimed against you:

**Damages:**

Deprivation of rights under color of law (18 USC 242).....\$800,000.00

Conspiracy against rights (18 USC 241).....\$700,000.00

Fraud.....	\$20,000,000.00
Compensatory Damages.....	\$4,000,000.00
Punitive Damages.....	\$2,000,000.00
Miscellaneous expenses (mailing, paper, ink, travel etc).....	\$100,000.00
Special Appearances.....	\$90,000.00

**AFFIDAVIT OF FACTS**  
**MACK WELLS**

I Mack Wells AFFIRM that all of the following are true and correct to the best of my knowledge in accordance with 28 U.S.C. 1746:

**OATH AND AFFIRMATION**

PURSUANT to 28 USC 1746 I Mack Wells AFFIRM that I have read all facts stated herein and that all stated are true and correct to the best of my knowledge. Executed this 26<sup>th</sup> day of May 2025.

Submitted,

Mack L. Wells  
MACK WELLS  
15020 S. RIVER DR.  
MIAMI FL. 33167

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of May 2025,  
by Mack L. Wells.

Produced FL OLF#W420-552-57-225-0

Denari Williams 5/26/2025



DENARI WILLIAMS  
Notary Public  
State of Florida  
Cert# H1867752  
Expires 2/28/2027

Part # 166297-435 88862 EXP 01/20

ORIGIN ID: TMBA (561) 619-0398

MAURICE SYMONETTE

15020 S RIVER DR

MIAMI, FL 33167

UNITED STATES US

SHIP DATE: 27MAY25  
ACTWTG: 0.10 LB  
CAD: 6570461/ROSA2630

TO ELBERT P. TUTTLE COURTHOUSE

56 FORSYTH ST NW

ATLANTA GA 30303

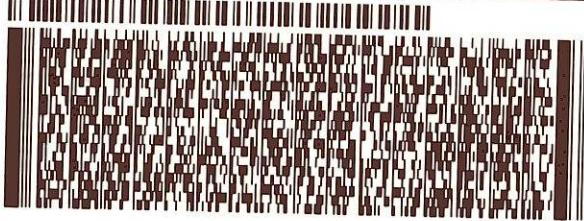
(404) 335-6100

INU:

PO:

REF:

DEPT:

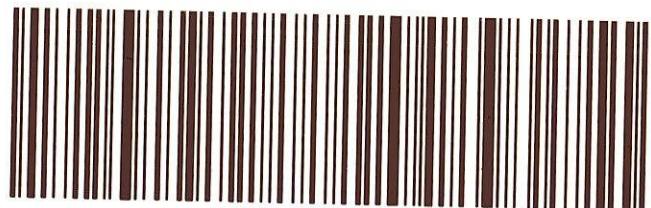


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THU - 29 MAY 10:30A  
MORNING 2DAY  
ASR  
30303  
GA-US ATL

TRK#  
0201 8815 7286 6736

SP QFEA



Envelope cycle me.

